



San Bernardino County

Legislation Text

File #: 6666, Agenda Item #: 11

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

September 13, 2022

FROM

WILLIAM L. GILBERT, Director, Arrowhead Regional Medical Center

SUBJECT

Non-Financial Affiliation Agreement with Keck Graduate Institute of Applied Life Sciences on behalf of KGI School of Pharmacy and Health Sciences for the Clinical Training of Pharmacy Students

RECOMMENDATION(S)

Approve Non-Financial Affiliation Agreement with Keck Graduate Institute of Applied Life Sciences on behalf of KGI School of Pharmacy and Health Sciences, including a non-standard term, for its students to obtain clinical training at Arrowhead Regional Medical Center, retroactively effective on August 11, 2022 through August 10, 2027.

(Presenter: William L. Gilbert, Director, 580-6150)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as the Affiliation Agreement with Keck Graduate Institute of Applied Life Sciences on behalf of KGI School of Pharmacy and Health Sciences (KGI) is non-financial in nature.

BACKGROUND INFORMATION

Approval of the recommendation will allow Arrowhead Regional Medical Center (ARMC) to provide clinical training to pharmacy students from KGI. This clinical training is required for pharmacy students to obtain their Doctor of Pharmacy degree, as well as their license to practice. A partnership with KGI for training of their pharmacy students also enables ARMC to recruit graduates of the program for future employment at the hospital.

The Affiliation Agreement is KGI's standard affiliation agreement, with terms negotiated by the parties, which include the following non-standard County term:

The County is required to defend, indemnify, and hold KGI harmless for claims caused by the County's negligence, intentional act(s) or willful misconduct.

- The County's standard contract does not contractually obligate the County to indemnify the other party for any reason.

- **Potential Implications:** By agreeing to indemnify KGI, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against KGI without such limitations and the County would be responsible to defend and reimburse KGI for costs, expenses, and damages. It should be noted that KGI is similarly obligated to defend, indemnify, and hold harmless the County.

Due to an administrative error, the previous agreement between ARMC and KGI expired on August 10, 2022, resulting in a retroactive term of the new agreement to prevent disruption of clinical training for the Doctor of Pharmacy students. A new contract monitoring protocol for non-financial Pharmacy agreements has been established whereby the ARMC Director of Pharmacy and Student Rotation Coordinator will ensure all affiliation agreements are reviewed in advance to prevent term oversights in the future.

ARMC recommends approval of this agreement, including the non-standard term, as the Affiliation Agreement with KGI will provide for the safety, health, and social service needs of County residents by ensuring the delivery of pharmaceutical care to ARMC patients, as well as increasing the future pool of licensed pharmacists.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Charles Phan, Deputy County Counsel, 387-5455) on August 17, 2022; Risk Management (Victor Tordesillas, Director, 386-8623) on August 19, 2022; ARMC Finance (Chen Wu, Finance and Budget Officer, 580-3165) on August 26, 2022; Finance (Jenny Yang, Administrative Analyst, 387-4884) on August 26, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-5423) on August 26, 2022.